



District of Columbia Sentencing and Criminal Code Revision Commission

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MINUTES OF FULL COMMISSION MEETING

February 18, 2014
One Judiciary Square, Suite 430S
Washington, DC 20001

Members in Attendance:

Frederick Weisberg
Julie Samuels
Thomas Kane
Laura Hankins
Cedric Hendricks

Paul Butler
Harold Cushenberry
Molly Gill
Donald Braman
Renata K. Cooper

Dave Rosenthal
Ramsey Johnson
Michael Anzallo
Steven Husk
Zach Walters

Staff in Attendance:

Barbara Tombs-Souvey
Richard Schmechel
Linden Fry

Mia Hebb
Thurman Sanders
Jinwoo Park

Eleanor Schaffer
Rachel Redfern
Michael Serota

Guest Attendance:

Traci Hughes

- I. The meeting was called to order by Chairman Weisberg at 5:00 p.m.
- II. The minutes from the November 19, 2013, meeting were reviewed, amended and approved.
- III. Open Presentation– Informational Item, Traci Hughes, Director, Office of Open Government, Board of Ethics and Government Accountability:

Open Meeting Presentation: Linden Fry introduced Traci L. Hughes, Director, Office of Open Government, to the Commission. Ms. Hughes thanked Mr. Fry for the introduction and the Commission for allowing her to address the procedural requirements regarding the Open Meetings Act. Ms. Hughes gave an overview of the establishment of the Office of Open Government, Ethics and Government Accountability Office. Ms. Hughes discussed the following topics:

- Open Meetings Act (DC Code §§2-571-577)
- Quorum
- Freedom of Information Act (DC Official Code §§ 2-531 to 538)
- Notice Posting
- Minutes and Recording Requirements

Ms. Hughes asked if there were any questions or concerns regarding the requirements for the Open Meetings Act. Ms. Hughes also stated that she welcomes any suggestions to examine whether new amendments should be added. The Commission thanked Ms. Hughes for the Open Meetings Act presentation.

IV. Director's Report – Informational Item, Barbara Tombs-Souvey

GRID System: Barbara Tombs-Souvey stated that the Grid System went into full production on December 20, 2013 as scheduled and within budget. Ms. Souvey informed the Commission that Grid System is fully operational and the Grid data from 2011, 2012, and 2013 will be used for comparison purposes in this year's annual report.

CSOSA: Barbara Tombs-Souvey discussed the meeting held on February 18, 2014, with CSOSA. Ms. Souvey stated that the contract for the Bi-Directional Interface was near completion and is expected to be awarded by mid-March 2014. Ms. Souvey thanked Cedric Hendricks for his support throughout the process.

Chief Judge Reappointments: Barbara Tombs-Souvey announced Chief Judge Satterfield's reappointment of Earl Silbert, Michele Roberts, and Julie Samuels for another four-year term with the Commission.

Annual Report Schedule: Barbara Tombs-Souvey discussed the timeline for 2013 Annual Report to ensure that Commission members had time to review the report. Ms. Souvey asked the Commission to note the following changes in the Annual Report upon review: (1) murder convictions were classified separately from violent crimes, (2) long split sentences were included with prison sentences, and (3) the most serious offense calculation was modified. Ms. Souvey asked the Commission to provide comments or edits when reviewing the Report.

V. Announcement of Next Ranking Committee Topic- Informational Item, Linden Fry

Next Ranking Committee Topic: Linden Fry gave an overview of September's meeting, at which the Commission voted to select future Ranking Committee topics in advance and to invite interested Commission members to participate in the discussion of each specific topic. Mr. Fry stated that the Ranking Committee is still currently working on possible changes to Mitigating Factor Number Four. Mr. Fry recommended that the Commission vote that the Ranking Committee next address the ranking of Assault with Significant Bodily Injury while Armed.

Commission Action: The Commission voted 11-0 that the next topic on the Ranking Committee's agenda would be the ranking of Assault with Significant Bodily Injury while Armed.

VI. Overview of Criminal Code Revision Project, Informational Item, Richard Schmechel

Overview of Criminal Code Revision Project: Richard Schmechel informed the Commission that the Criminal Code Revision Project is on schedule with the Management Plan.

Mr. Schmechel gave an overview of the Criminal Code Project and the targeted milestone topics that the Committee has addressed, as set forth in the D.C. Criminal Code Revision Project Overview:

- General Provisions
- Reorganization of Title 22 Offenses

- Specified Property Offenses – Scheduled for completion mid-May 2014

Mr. Schmechel briefly discussed the project goals listed under the Legislative Mandate to be completed by September 26, 2016. Mr. Schmechel reviewed the management plan priorities, consisting of (1) drafting new general provisions, (2) reorganizing criminal offenses, and (3) revising the most common and serious criminal offenses. Mr. Schmechel briefly discussed the Criminal Code Committee topics and meeting schedules. Mr. Schmechel then gave an overview of the following:

- Mental State Definitions and Requirements listed under the General Provision.
- Title 22 Offenses
- Commencement of the Code Committee's Consideration of Property Offenses

Mr. Schmechel discussed the next milestones outlined in the management plan:

- Specified Drug Offenses – May-July 2014
- Specified Weapon Offenses – August – November 2014
- Specified Offenses Against Person – Start November 2014

Mr. Schmechel notes that the Criminal Code Committee is open to any Commission member who would like to participate in the discussion of a specific topic. Dave Rosenthal commended the Criminal Code Revision staff for doing an excellent job providing quality research information.

Meeting Adjourned: 6:40 pm

*The March 18, 2014 meeting is cancelled.

NEXT MEETING

Tuesday, April 15, 2014, One Judiciary Square (441 4th St., NW), Room 430S.